

DIVISION OF MINES	CHAPTER: V Investigations
PROCEDURES MANUAL	
PROCEDURE NO: 1.05.09	
ISSUE DATE: May 3, 1999	
SUBJECT: Investigation Documents File LAST REVISED:	

OBJECTIVE AND INTENT

To effectively and efficiently manage and maintain a complete and accurate file of investigations conducted for complaints, serious personal injuries, and fatalities.

GENERAL

During the course of the investigation of complaints, serious personal injuries, and fatalities, it is expected that documentation will be created by DM personnel involved with these investigations. This documentation will include field notes, copies of mine records, drawings, audio tape recordings, photographs, and possibly other information and materials necessary and relevant to the investigation process. All of this documentation becomes part of the Department's investigation record, and is subject to become a public record through FOIA requests.

The Department routinely receives FOIA requests especially for such files following serious accidents and fatalities. The requests are almost always detailed and very comprehensive in nature, seeking everything compiled in the investigation file. The Department is mandated in most instances to provide prompt and complete disclosure and copying of the files requested.

In order to efficiently and effectively meet the obligation, all DM personnel involved in the investigation of complaints, serious personal injuries, and mine fatalities are to comply with the following procedures:

PROCEDURE

1. INVESTIGATION DOCUMENTS TO BE FILED

- Upon completion of the investigation, the original of all notes, drawings and any other written documentation created or compiled by DM personnel during the course of the investigation; along with any audio tape recordings and photographs (prints, digital, video) are to be collected and placed in an envelope. This envelope is to be labeled, identifying the incident investigated and the materials assembled. DM personnel may retain for their personal records, a copy of notes and other documents they created.

2. AUDIO AND VIDEO TAPE RECORDS

- When audio and video tape records are created as part of an investigation, it is important that attention be given to procedures that will ensure a quality record not only for the investigation but also for copy in meeting possible FOIA requests. Consider and follow these procedures when you are creating an audio tape record:

1. Label the tape with the date, name of person interviewed, and company
2. Label the tape box with the same information
3. Tape only on the “A” side
4. Make a tape check to be sure you are taping
5. Once taping has been finished, punch out the plastic tab to prevent recording over.

3. INVESTIGATION SCENE PICTURES

- When pictures are taken as part of the investigation, care must be given to ensure a quality record. Use discretion when taking pictures where personal injury or fatalities have occurred to not create photographs that could be hurtful to a victim’s family, and which are not necessary for the investigation. Consider and follow these procedures when you are creating a record through pictures:

1. Take only the pictures needed for the investigation – partial rolls are ok.
2. There should be four (4) sets of pictures made initially.
3. The person that delivers and picks up the pictures needs to write on the receipt what the pictures are for and how many rolls were developed.
4. The receipt should be sent immediately to the Office Services Specialist responsible for the file.

4. COORDINATION OF FILE

- Since it is not unusual for several different DM representatives to be involved with an investigation and contributing to the file development, it is important to have an individual designated as responsible for coordination of the assembly of the documents and other materials for inclusion in the final division investigation file. In those investigations where the Emergency Response Team has conducted the investigation, the coordinator for the ERT will assume this responsibility. In complaint and other serious incident investigations, whether performed by specialists or inspectors, the area supervisor where the investigation is conducted will be responsible for the document file.

Investigation files are to be compiled accurately and completely, and delivered as promptly as possible to the Office Services Specialists assigned to maintain the file.